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Bellator Sport Worldwide, LLC  
8 *Appearing pursuant to FRCP 45(f)*

9  
10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 CUNG LE, NATHAN QUARRY,  
13 and JON FITCH, on behalf of  
14 themselves and all others similarly  
situated,

15 Plaintiffs,

16 v.

17 ZUFFA, LLC, d/b/a ULTIMATE  
18 FIGHTING CHAMPIONSHIP And  
UFC,

19 Defendants.  
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Member Case  
No. 2:17-cv-00849-RFB-PAL

Lead Case  
No. 2:15-cv-01045-RFB-PAL

**[PROPOSED] ORDER  
MODIFYING SUBPOENAS TO  
NON-PARTY BELLATOR SPORT  
WORLDWIDE, LLC**

1 The Motion of Non-Party Bellator Sport Worldwide, LLC (“Bellator”) to  
 2 Quash or Modify Subpoenas in the above captioned action [Docket No. 1] and the  
 3 Plaintiffs’ Motion to Compel Documents Responsive To Plaintiffs’ Subpoena  
 4 [Docket No. 26] came on for hearing on June 1, 2017 before this Court, the  
 5 Honorable Peggy A. Leen, presiding. After full consideration of the matter, and  
 6 good cause appearing therefor, this Court issues the orders set forth below:

7 1. Bellator’s Motion to Quash Subpoenas is DENIED.

8 2. Bellator’s Motion to Modify Subpoenas is GRANTED as set forth  
 9 herein.

10 3. Plaintiffs’ Motion to Compel Documents is DENIED.

11 4. FIGHTER CONTRACTS

12 Demand No. 1 of Defendant Zuffa’s Subpoena to Bellator and Demand  
 13 Number 4 of the Plaintiffs’ Subpoena to Bellator, each of which generally seeks  
 14 Bellator’s contracts with its fighters, are hereby limited and modified as follows:

15 A. Bellator will produce five (5) anonymized, exemplary fighter  
 16 contracts for each of the following five categories of male MMA  
 17 athletes:

18 (1) Premier Fighters. This category includes the top 30% of Bellator  
 19 fighters by earnings.

20 (2) Mid-Level Fighters. This category includes successful and  
 21 established fighters who are not presently in the top 30% of  
 22 Bellator fighters by earnings.

23 (3) Developmental Fighters. This category includes junior fighters  
 24 who are not yet well-established in the national and international  
 25 arena, and who are building their fight record to become more  
 26 established fighters.

27 (4) Local Market Fighters. This category includes fighters who  
 28 typically comprise the undercard fights in a particular local

market and who often represent a local gym in the geographic market. Typically these fighters have not yet found wider recognition but have a local fan-base.

(5) Bellator Legacy Fighters. This category includes Bellator fighters who signed with the promotion during its earlier tournament format (i.e., prior to 2015).

B. Bellator will produce one (1) anonymized, exemplary contract for each of the following five categories of female MMA athletes:<sup>1</sup>

(1) Premier Fighters.

(2) Mid-Level Fighters.

(3) Developmental Fighters.

(4) Local Market Fighters.

(5) Bellator Legacy Fighters.

C. Bellator shall produce, on an anonymized basis, any amendments, modifications, side letters, or extensions that may exist with respect to any contract that is produced pursuant to this section.

D. Anonymized contracts shall mean that the fighter's names and other information that would reasonably reveal the identity of the fighter shall be redacted. Bellator shall use an identifier on the contracts and any amendments, modifications, side letters, or extensions to the underlying contract.

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<sup>1</sup> Bellator states that there are approximately 160 fighters currently on the Bellator roster, of whom less than twenty percent are female fighters, such that Bellator cannot produce more than one contract within each female fighter category without compromising the anonymity of the female fighters. Altogether, Bellator shall produce 30 fighter contracts (25 for male fighters; 5 for female fighters).

E. The anonymized contracts shall include the fighter's gender, weight class, number of fights during term of agreement, and any compensation to be paid.

4. BELLATOR INCOME AND EXPENSE INFORMATION

Demand Nos. 7 and 12 of Defendant Zuffa's Subpoena to Bellator and Demand No. 12 of Plaintiffs' Subpoena to Bellator, each of which generally seeks Bellator's income and expense information, are limited and modified as follows:

Bellator shall produce unaudited quarterly profit and loss statements through the quarter ending March 31, 2017 that include the following information:<sup>2</sup>

REVENUE

Advertising/Sponsorship Revenue  
Affiliate/Pay Per View Revenue  
Ancillary Revenue  
    TV Syndication  
    Consumer Products  
    Recreation & Events  
    Other  
Total Revenue

EXPENSES

Operating Expenses  
    Production & Programming Expenses  
        Fighter Compensation  
        Above the Line Production Staff  
        Below the Line Production Staff  
        Staging, Lighting & Set  
        Tech Crews & Equipment  
        Post Production  
        Venue Costs  
        Travel & Transportation  
    Other Operating Expenses

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<sup>2</sup> Bellator states that for periods prior to December 31, 2011, it may not be able to produce P&L data in precisely the categories described herein, because its operations changed when Viacom acquired Bellator in October 2011.

Selling, General, and Administrative (“SG&A”) Expenses  
 Employee Compensation: SG&A  
 Advertising & Promotion Expenses  
 Other SG&A

Depreciation & Amortization  
 Total Expenses

**OPERATING INCOME**

**NET INCOME**

5. Bellator may designate information provided in response to the modified Subpoenas as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to the Revised Stipulation and Protective Order Protective Order in effect in the Lead Case (2:15-cv-01045-RFB-(PAL)) (“Protective Order”), and the Parties and their experts and consultants shall be bound by the protections of the Productive Order. Any expert report or analysis that will be shared beyond outside litigation counsel for the parties and that makes reference, describes or discloses the substance of materials that Bellator has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” shall be likewise designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” in such portion that includes a reference, description or disclosure of Bellator’s designated materials. The Parties are hereby ordered to make best efforts to protect information designated “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” from public disclosure at the trial of these actions, including by stipulating and seeking the approval of the District Court to maintain, the confidentiality of information designated by Bellator as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEYS EYES ONLY,” providing advance notice to Bellator of any intended use of such materials at trial, and best efforts by

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1 the party seeking to introduce designated materials to limit access of the parties and  
2 the public to such materials.

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5 IT IS SO ORDERED:

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8 HONORABLE PEGGY A. LEEN, UNITED  
9 STATES MAGISTRATE JUDGE

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